

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Edward Greef, on January 27, 2015 at 3:00 PM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Edward Greef, Chair (R)
Rep. Steve Fitzpatrick, Vice Chair (R)
Rep. Kathy Swanson, Vice Chair (D)
Rep. Tom Berry (R)
Rep. Geraldine Custer (R)
Rep. Moffie Funk (D)
Rep. Denise Hayman (D)
Rep. Kathy Kelker (D)
Rep. Debra Lamm (R)
Rep. Steve Lavin (R)
Rep. Forrest Mandeville (R)
Rep. Nate McConnell (D)
Rep. Christopher Pope (D)
Rep. Vince Ricci (R)
Rep. Tom Richmond (R)
Rep. Nicholas Schwaderer (R)
Rep. Tom Steenberg (D)
Rep. Nancy Wilson (D)
Rep. Daniel Zolnikov (R)

Members Excused: Rep. Frank Garner (R)

Members Absent: None

Staff Present: Ginger Aldrich, Legislative Branch
Noah Horan, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 293, 1/27/2015; HB 302, 1/27/2015

00:01:19 Chair Greef

HEARING ON HB 293

Opening Statement by Sponsor:

00:01:58 Rep. Bob Brown (R), HD 13, opened the hearing on HB 293, Post bill of rights in public buildings.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:05:51 Rep. Funk
00:06:29 Rep. Brown
00:07:18 Rep. Funk
00:07:58 Rep. Brown
00:08:28 Rep. Kelker
00:09:07 Rep. Brown
00:09:57 Rep. McConnell
00:10:39 Rep. Brown
00:11:16 Rep. McConnell
00:11:29 Rep. Brown
00:11:39 Rep. Mandeville
00:12:00 Rep. Brown
00:12:33 Rep. Mandeville
00:12:41 Rep. Brown
00:12:52 Rep. Mandeville
00:13:04 Rep. Brown
00:13:24 Rep. Pope
00:13:55 Rep. Brown
00:14:24 Rep. Wilson
00:15:13 Rep. Brown
00:16:17 Rep. Wilson
00:16:50 Rep. Brown
00:17:19 Rep. Wilson
00:17:34 Rep. Brown
00:17:46 Rep. Schwaderer
00:18:34 Rep. Brown

Closing by Sponsor:

00:19:08 Rep. Brown

00:19:46 Chair Greef

HEARING ON HB 302**Opening Statement by Sponsor:**

00:20:21 Rep. Forrest Mandeville (R), HD 57, opened the hearing on HB 302, Revise burden of proof laws related to subdivisions.

Proponents' Testimony: None**Opponents' Testimony:**

00:27:21 Topher Williams
00:28:47 Tara DePuy, Montana Association of Counties (MACo)
00:39:12 David Nielsen, Montana League of Cities and Towns (MLCT)
00:41:39 Larry Epstein, Montana County Attorneys Association (MCAA)
00:42:43 Erin Farris-Olsen, Montana Smart Growth Coalition (MSGC)
00:46:31 Claire Muller

Informational Testimony:

00:47:19 Kelly Lynch, Administrator, Community Development Division, Montana Department of Commerce (DOC)

Questions from Committee Members and Responses:

00:48:26 Rep. Kelker
00:48:59 Rep. Mandeville
00:50:00 Rep. Fitzpatrick
00:50:46 Tara DePuy, MACo
00:50:53 Rep. Fitzpatrick
00:51:17 Tara DePuy, MACo
00:52:16 Rep. Fitzpatrick
00:52:58 Tara DePuy, MACo

Closing by Sponsor:

00:54:59 Rep. Mandeville

00:55:50 Chair Greef

00:56:37 Recess
01:13:48 Reconvened

EXECUTIVE ACTION ON HB 172

01:14:04 **Motion:** Rep. Fitzpatrick moved that **HB 172 DO PASS.**

Discussion:

01:14:26 Rep. Swanson
01:15:20 Rep. Kelker
01:15:54 Rep. Schwaderer

01:16:49 **Vote:** Motion failed 1-19 by voice vote with Rep. Zolnikov voting aye. Rep. Garner voted by proxy. Rep. Garner was excused.

01:17:14 Rep. Mandeville
 01:17:35 Chair Greef
 01:18:20 Ginger Aldrich, Legislative Services Division (LSD)
 01:18:33 Chair Greef
 01:18:46 Rep. Kelker
 01:18:59 Chair Greef

01:19:17 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 172 BE TABLED**. Motion carried unanimously by voice vote. Rep. Garner voted by proxy. Rep. Garner was excused.

01:19:32 Rep. Pope
 01:20:22 Chair Greef
 01:21:35 Noah Horan, Committee Secretary
 01:21:39 Rep. Lavin
 01:21:52 Rep. Berry
 01:22:19 Chair Greef

EXECUTIVE ACTION ON HB 187

01:22:25 **Motion:** Rep. Fitzpatrick moved that **HB 187 DO PASS**.

Discussion:

01:22:32 Chair Greef
 01:22:38 Rep. Swanson
 01:23:12 Rep. Kelker

01:23:23 **Vote:** Motion carried 19-1 by voice vote with Rep. Schwaderer voting no. Rep. Garner voted by proxy. Rep. Garner was excused.

EXECUTIVE ACTION ON HB 193

01:23:55 **Motion:** Rep. Fitzpatrick moved that **HB 193 DO PASS**.

01:24:17 **Motion:** Rep. Fitzpatrick moved that **HB 193 BE AMENDED**.
[EXHIBIT\(loh18a01\)](#)

Discussion:

01:24:21 Chair Greef
 01:24:31 Rep. Fitzpatrick
 01:24:52 Chair Greef

01:25:05 **Vote:** Motion carried unanimously by voice vote. Rep. Garner voted by proxy. Rep. Garner was excused.

01:25:19 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 193 DO PASS AS AMENDED**. Motion carried 16-4 by roll call vote with Rep. Berry, Rep. Fitzpatrick, Rep. Lamm and Rep. Schwaderer voting no. Rep. Garner voted by proxy. Rep. Garner was excused.

01:27:09 Chair Greef

ADJOURNMENT

Adjournment: 01:27:38

Noah Horan, Secretary

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Additional Documents:

EXHIBIT([loh18aad.pdf](#))